

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JIM DAWS TRUCKING, LLC,

Plaintiff,

v.

DAWS, INC.; JAMES R. DAWS; LANA R.
DAWS; DAWS TRUCKING, INC.; and
COLUMBUS TRANSPORTATION &
LOGISTICS, LLC,

Defendants.

CASE NO. 4:24-CV-3177

**DECLARATION OF SHANNON
DUGAN**

I, Shannon Dugan, hereby declare as follows:

1. I am above the age of 21 and am competent to testify. I have personal knowledge of all facts set forth herein.
2. I am a former United States Marine Corps recruiter which helped me to hone my sales skills.
3. I have known Jim Daws since approximately 2002 when he operated a logistics company in Columbus, Nebraska with his brother.
4. I am the owner of a small business consisting of me and my daughter. My daughter assists me by working as a dispatcher for freight I broker.
5. Through my company, I have worked as an independent contractor for Columbus Transportation and Logistics, LLC ("CTL") for over ten years as a freight broker. I have worked as a freight broker for approximately 25 years.
6. It is my understanding that I am the only full-time broker at CTL and am responsible for generating almost all of CTL's revenue.

7. CTL does not haul freight. Having worked in the industry for a quarter-century I do not consider CTL's brokerage work to be the business of trucking which I view as involving hauling freight as a carrier.

8. CTL is an authorized broker under the Federal Motor Carrier Safety Act, but is not an authorized carrier. Unlike a carrier, a broker is not authorized to haul freight.

9. It is my understanding that Daws Trucking is authorized to haul freight but is not authorized to broker freight.

10. As a broker for CTL, I call clients and negotiate rates and prices and then match clients who need to move freight with carriers who can move the freight at an agreed upon price. After a load is shipped, the billing paperwork is processed through CTL who receives payment from the shipper and then pays the carrier. For as long as I can recall, JoAnn Roth and Kathy Temme were the individuals at CTL who processed the billing paperwork and issued payments on behalf of CTL.

11. A broker is only authorized to broker freight that is within its authority. For example, CTL is not authorized to broker livestock, household goods, alcohol, hazardous materials, or people (e.g., bus lines). CTL brokers any type of freight within its authority including the freight hauled in dry vans, reefers, and tanker trucks. CTL brokers freight far beyond that which can only be hauled on flatbeds.

12. CTL does not advertise and has no website. Over the course of my twenty-five-year career I have personally built longstanding relationships with regular clients such that they call me when they have a load to haul or trucks available.

13. During my career I have never had access to the records of Daws Trucking. CTL has always operated separately from Daws Trucking.

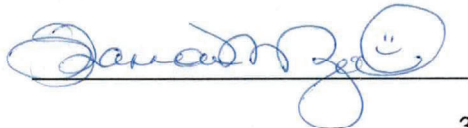
14. CTL never competed with Daws Trucking.

15. I was only recently made aware that Jim Daws sold Daws Trucking in 2022. From my perspective, after the sale in 2022, CTL operated the same way it had in the decade before the sale. The sale had no affect on how CTL operated. The only exception to this statement is I understand that on September 27, 2024, the buyer of Daws Trucking prevented CTL from accessing CTL's Keystone software data that was housed on the Daws Trucking server. Keystone is a software program that runs CTL's business and does the accounting work. The lack of access to CTL's Keystone data caused a major disruption in CTL's business. Clients and carriers were angry with me because CTL could not get access to the information needed to get carriers paid in a timely fashion.

16. I live in Oregon, work from home, and have very infrequent contact with Jim Daws. I probably only speak with him three times a year.

17. I am compensated solely on a commission basis. If CTL is prohibited from operating it would have a devastating effect on me and my daughter as CTL is our primary source of income. It would also be severely disruptive to my clients who rely on me to broker freight for them so that they do not have to hire their own in-house logistics personnel.

I declare, under penalty of perjury, that the foregoing declaration, executed on the 20th day of January, 2025, at Seetherskin, Oregon, is true and correct.

A handwritten signature in blue ink, appearing to read "Dana Daws", is written over a horizontal line. The signature is stylized and includes a small circular mark at the end.

Shannon Dugan

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